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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 ALEKA JACKSON, individually;
BETTY JACKSON, individually;

13 Plaintiffs,

14 vs.

15
16 KEY INSURANCE COMPANY, a foreign
corporation d/b/a STORM GEAL GROUP
17 and d/b/a DESERT RIDGE LEGAL GROUP;
DOES-V; and ROE CORPORATIONS VI
18 through X, inclusive,

19 Defendants.
20

CASE NO.: 2:22-cv-01542-APG-VCF

**STIPULATION TO STAY ALL
DISCOVERY DEADLINES AND STAY
THE CASE**

(8TH REQUEST)

21 IT IS HEREBY STIPULATED AND AGREED, by and between Defendant, KEY
22 INSURANCE COMPANY (“KEY”), by and through its attorneys, ALI R. IQBAL, ESQ, and
23 JAMES P.C. SILVESTRI, ESQ., of PYATT SILVESTRI, and Plaintiffs ALEKA JACKSON
24 and BETTY JACKSON (“Plaintiffs”) by and through their counsel, Craig W. Drummond, Esq.
25 of the DRUMMOND LAW FIRM, that all discovery deadlines are stayed for ninety (90) days,
26 pursuant to the agreement of the parties. This is the party’s eighth request for an alteration to the
27 discovery deadlines. The parties set forth the following information in support of their
28 stipulation.

I.**DISCOVERY COMPLETED TO DATE****A. FRCP 26(a) Disclosures and Supplements**

<u>Title</u>	<u>Date Served</u>
Plaintiffs Initial Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	Jan. 18, 2023
Defendant's Initial List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	Jan. 18, 2023
Defendant's First Supplemental List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	Mar. 16, 2023
Defendant's Second Supplemental List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	Nov. 2, 2023
Defendant's Initial Designation of Expert Witnesses and Disclosure	Nov. 2, 2023
Plaintiffs' Initial Expert Disclosure Pursuant to FRCP 26(a)(2)	Nov. 3, 2023
Plaintiffs' First Supplement to Disclosure of Documents and Witnesses Pursuant to FRCP 26(a)(1)	Dec. 1, 2023
Plaintiffs' Rebuttal Expert Disclosure Pursuant to FRCP 26(a)(2)	Dec. 4, 2023
Defendant's Designation of Rebuttal Expert Witnesses and Disclosure	Dec. 4, 2023
Defendant's Third Supplemental List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	Dec. 4, 2023
Defendant's Fourth Supplemental List of Witnesses and Disclosure of Documents Pursuant to FRCP 26(F)	Dec. 5, 2023
Plaintiffs' First Supplement to Initial Expert Disclosure Pursuant to FRCP 26(a)(2)	Jan. 11, 2024
Plaintiff's Second Supplemental to Initial Disclosures Pursuant to Federal Rule of Civil Procedure 26(a)(1)	July 5, 2024
Defendant's Key Insurance Company's 2 nd Supplemental Privilege Log	August 22, 2024

B. Written Discovery

<u>Title</u>	<u>Date Served</u>
Plaintiff Aleka Jackson's First Set of Interrogatories to Defendant Key Insurance Company d/b/a Storm Legal Group and d/b/a Desert Ridge Legal Group	Feb. 14, 2023
Plaintiff Betty Jackson's First Set of Interrogatories to Defendant Key Insurance Company d/b/a Storm Legal Group and d/b/a Desert Ridge Legal Group	Feb. 14, 2023
Plaintiffs' First Set of Requests for Production of Documents to Defendant Key Insurance Company d/b/a Storm Legal Group and d/b/a Desert Ridge Legal Group	Feb. 14, 2023
Defendant Key Insurance Company's Responses to Plaintiff Aleka Jackson's First Set of Requests for Interrogatories	Mar. 16, 2023

1	Defendant Key Insurance Company's Responses to Plaintiff Betty Jackson's First Set of Requests for Interrogatories	Mar. 16, 2023
2	Defendant Key Insurance Company's Responses to Plaintiff's First Set of Requests for Production	Mar. 16, 2023
3	Defendant Key Insurance Company's First Set of Interrogatories to Plaintiff Aleka Jackson	Mar. 22, 2023
4	Defendant Key Insurance Company's First Set of Requests for Production to Plaintiff Aleka Jackson	Mar. 22, 2023
5	Defendant Key Insurance Company's First Set of Requests for Admissions to Plaintiff Aleka Jackson	Mar. 22, 2023
6	Defendant Key Insurance Company's First Set of Interrogatories to Plaintiff Betty Jackson	Mar. 22, 2023
7	Defendant Key Insurance Company's First Set of Requests for Production to Plaintiff Betty Jackson	Mar. 22, 2023
8	Defendant Key Insurance Company's First Set of Requests for Admissions to Plaintiff Betty Jackson	Mar. 22, 2023
9	Plaintiff Aleka Jackson's Answers to Defendant Key Insurance Company's First Set of Interrogatories	April 21, 2023
10	Plaintiff Aleka Jackson's Responses to Defendant Key Insurance Company's First Set of Requests for Production of Documents	April 21, 2023
11	Plaintiff Aleka Jackson's Responses to Defendant Key Insurance Company's First Set of Requests for Admissions	April 21, 2023
12	Plaintiff Betty Jackson's Answers to Defendant Key Insurance Company's First Set of Interrogatories	April 21, 2023
13	Plaintiff Betty Jackson's Responses to Defendant Key Insurance Company's First Set of Requests for Production of Documents	April 21, 2023
14	Plaintiff Betty Jackson's Responses to Defendant Key Insurance Company's First Set of Requests for Admissions	April 21, 2023
15	Plaintiff Aleka Jackson's Second Set of Interrogatories to Defendant Key Insurance Company	Feb. 29, 2024
16	Plaintiffs' Second Set of Requests for Production of Documents to Defendant Key Insurance Company	Feb. 29, 2024
17	Defendant's Answers to Plaintiff's 2 nd set of Requests for Production of Documents	April 15, 2024
18	Defendant's Answers to Plaintiff's 2 nd set of Interrogatories	April 17, 2024

C. Depositions

<u>Deponent</u>	<u>Date</u>
Plaintiff Betty Jackson	April 20, 2023
Plaintiff Aleka Jackson	April 21, 2023
Terry McCollam	Dec. 4, 2023
Carolyn Bowers	Dec. 5, 2023
Scott Glogovac	March 12, 2024
Carolyn Bowers (continued)	August 7, 2024
Key Insurance FRCP 30(b)(6)	March 24, 2025

1 **II.**

2 **DISCOVERY TO BE COMPLETED**

3 The parties previously had a FRCP 30(b)(6) deposition of Defendant on calendar for March
4 24, 2024. Plaintiff has also reserved his right to seek a motion to compel the potential deposition
5 of Thomas Larmore, Esq., pending the FRFP 30(b)(6) deposition.

6 After submitting a Stipulation and Order regarding a discovery dispute concerning the
7 remaining deposition[s], on March 14, 2025, the Honorable Magistrate Judge Maximiliano D.
8 Couvillier, III issued a minute order directing further briefing as to moving forward with the FRCP
9 30(b)(6) deposition. *See* CMECF #74.

10 **III.**

11 **REASONS THAT THE DISCOVERY NEEDS TO BE STAYED**

12 On March 3, 2025, the District Court of Shawnee County, Kansas, in Case No. 2025 CV
13 151, ordered Key Insurance Company (“Key”) to be placed in rehabilitation (“Order of
14 Rehabilitation”) and appointed the Kansas Commissioner of Insurance, Vicki Schmidt, as the
15 Rehabilitator of Key, with all the rights, duties, powers and obligations under law and under K.S.A.
16 § 40-3605, *et seq.* Under the terms of the Order of Rehabilitation, *inter alia*: (a) the Rehabilitator
17 was ordered to take possession and title of Key and all of its books, records, accounts and all other
18 assets and property, wherever located and in whatever form, under the general supervision of the
19 Rehabilitation Court; (b) a moratorium was imposed on the payment by Key of any claim against
20 a policy, policyholder, or Key in an amount that exceeds the policy limits of the applicable
21 insurance policy or policies; and (c) actions against Key or its property or the enforcement of a
22 judgment against Key or its property were enjoined.

23 Under Kansas statute K.S.A. 40-3619, any court in the state of Kansas before which any
24 action or proceeding in which the insurer is a party, or is obligated to defend a party, is pending
25 when a rehabilitation order against the insurer is entered shall stay the action or proceeding for 90
26 days and such additional time as is necessary for the Rehabilitator to obtain proper representation
27 and prepare for further proceedings. The Rehabilitator is also directed to immediately consider all
28

1 litigation pending outside this state and shall petition the courts having jurisdiction over such
2 litigation for stays whenever necessary to protect the estate of the insurer.

3 The Rehabilitator has determined that it is necessary to protect the interests of the Estate
4 of Key to petition the courts in every jurisdiction where a lawsuit is pending against a Key
5 policyholder or Key itself, to allow the Rehabilitator sufficient time to evaluate the financial
6 condition and viability of Key. While the Rehabilitator determines what is necessary, the parties
7 have agreed to stay the case, including all further discovery, further motions, and any other actions
8 that would potentially need The Rehabilitator's input or involvement.

9 On March 28, 2025, Key Insurance filed their DEFENDANT'S MOTION FOR
10 PROTECTIVE ORDER REGARDING DEFENDANT'S 30(B)(6) DEPOSITION. *See* CMECF
11 #75.

12 Further, on March 31, 2025, the Kansas District Court entered a FINAL ORDER AND
13 JUDGMENT OF LIQUIDATION WITH FINDING OF INSOLVENCY OF KEY INSURANCE
14 COMPANY. *See* CMECF 76-1.

15 Given the recent Liquidation Order, the parties agree that moving forward with the
16 deposition at this time is not appropriate. The Plaintiffs are withdrawing their request to move
17 forward with the FRCP 30(b)(6) deposition at this time. The parties jointly request that the present
18 case be stayed for approximately 90 (ninety) days pending the outcome of the rehabilitation and
19 liquidation of Key, at which point the Court may set a status check so the parties may advise of
20 the status of such.

21 Additionally, per request by the Special Duty Receiver, counsel for Key is directed to
22 inform the federal court that they are to stop all work unless re-engaged by the Liquidator. *See*
23 attached, **Exhibit A**.

24 **IV.**
25 **PROPOSED SCHEDULE FOR CLOSE OF DISCOVERY, DISPOSITIVE MOTIONS,**
26 **AND JOINT PRE-TRIAL ORDER**

27 Key requests that this Court implement a 90-day stay for the reasons stated above, until at
28 least July 7, 2025. At that point, the parties would agree to new deadlines depending on the

circumstances of Key and the status of the Rehabilitation.

	<u>Current Date</u>	<u>Proposed Date</u>
Amend Pleadings and Add Parties:	July 5, 2023	Closed
Initial Expert Disclosures:	August 3, 2023	Closed
Rebuttal Expert Disclosures:	September 5, 2023	Closed
Close of Discovery:	March 31, 2025 ¹	TBD
Dispositive Motions	April 30, 2025	TBD
Joint Pretrial Order	May 30, 2025	TBD

Based on the foregoing, the parties respectfully request this Court grant their Stipulation and Order to Stay All Discovery Deadlines (Eighth Request).

DATED this 8th day of April, 2025.

PYATT SILVESTRI

By _____ /E-SIGNED
 James P.C. SILVESTRI, Esq.
 Nevada Bar No. 3603
 ALI R. IQBAL, Esq.
 Nevada Bar No. 15056
 701 Bridger Avenue
 Las Vegas, Nevada 89101
Attorneys for Defendants

DATED this 8th day of April, 2025.

DRUMMOND LAW FIRM

By _____ E-SIGNED
 Craig W. Drummond, Esq.
 Nevada Bar No. 11109
 Joseph A. Tutone, Esq.
 Nevada Bar No. 16333
 3325 W. Sahara Avenue
 Las Vegas, NV 89102
Attorneys for Plaintiffs

IT IS SO ORDERED: The stipulation is granted. All discovery and pre-trial deadlines are VACATED. The parties shall submit a "Stipulation Regarding Status" by July 11, 2025, advising the Court of the status of defendant's rehabilitation and liquidation and discovery in this matter.

UNITED STATES MAGISTRATE JUDGE

DATE: 4-11-25

¹ Actual deadline falls on a Saturday, March 29, 2025.